



The State Bar *of California*

DRAFT **PUBLIC MINUTES**

THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA

December 7 and 8, 2018

State Bar of California Offices
180 Howard Street
San Francisco, California

A meeting of the Committee of Bar Examiners of The State Bar of California convened in open session at 10:05 a.m., Friday, December 7, 2018, in a meeting room at the State Bar offices in San Francisco, James P. Fox, Chair, presiding. Officers and members present were: James P. Fox, Chair, Esther P. Lin, Vice-Chair, Angeli O. Agatep, M.D., James A. Bolton, Ph.D., Robert S. Brody, Alex H. Chan, James H. Efting, Judith K. Gillespie, Kareem Gongora, Michael A. Iseri, Larry Kaplan, Paul A. Kramer, Alexander C. Lawrence, Jr., David A. Torres, Judge Shelly B. Torrealba and Patricia M. Villalobos, Members. Member Bethany J. Peak entered the meeting at 10:15 a.m. Member Dolores Heisinger was absent. State Bar staff members in attendance were: Donna Hershkowitz, Chief Programs Office; Amy C. Nuñez, Director III, Admissions; Lisa Jeong Cummins, Program Manager III, Examinations; Mark Torres-Gil, Program Manager III, Moral Character Determinations; Natalie Leonard, Principal Program Analyst; Christina Doell, Program Manager I; Tammy Campbell, Program Manager I; Kim Wong, Administrative Supervisor; Destie Overpeck, Attorney III; Ron Pi, Principal Program Analyst, and Joanna Mendoza, Board of Trustee Member. Also in attendance were: Dean Dean Barbieri, Dean Maren Carmona, Dean Jackie Gardina, Dean George Leal, Dean Andrea Lua, Dean Ira Spiro, and Dean Mitch Winick. The open session portion of the meeting concluded at approximately 2:10 p.m. at which time the Deans left the meeting. The Committee meeting went into closed session at 2:25 p.m. Joanna Mendoza left the meeting at 2:45 p.m. The closed session concluded at approximately 3:30 p.m. The meeting was reconvened in closed session beginning at 9:05 a.m. on Saturday, December 8, 2018. All Committee members, excluding member Angeli Agatep and staff, Donna Hershkowitz and Ron Pi and Board member Joanna Mendoza, were present on Friday and Saturday. Agatep, Hershkowitz, Pi and Mendoza were in attendance at the Friday meeting. Also in attendance were members of the Examination Development and Grading (EDG) Team: Amy Gee, David Kelley, Kathy Meola, Laura Meyers, Amanda Roze, and Paul Webb. The meeting adjourned at 10:25 a.m.

OCTOBER 19, 2018 COMMITTEE MEETING PUBLIC MINUTES

It was moved, seconded and duly carried that the minutes taken during the public session of the meeting on October 19, 2018, be approved.

DISCUSSION RE IMPLEMENTATION OF APPENDIX I
RECOMMENDATION FOR COMMITTEE OF BAR EXAMINERS
AND RECENT REVISIONS TO RULES OF COURT

It was moved, seconded and duly carried that the Committee of Bar Examiners (CBE) respectfully requests that the Board of Trustee reconsider the decision to transfer the responsibility for conducting Moral Character Informal Conferences from members of the CBE to staff.

OCTOBER 2018 KEY STATISTICAL INDICATORS

It was by common consent agreed that the October 2018 Key Indicators for the Office of Admissions/Committee of Bar Examiners be received and filed.

SCHEDULE FOR FEBRUARY 1, 2019 COMMITTEE MEETING

It was by common consent agreed that the schedule for the February 1, 2019 Meeting, which will be held at the State Bar of California Offices in Los Angeles, California, be received and filed.

EXAMINATIONS

REPORT TO THE SUPREME COURT ON THE JULY 2018
CALIFORNIA BAR EXAMINATION

It was moved, seconded and duly carried that the Supreme Court Report on the July 2018 California Bar Examination be finalized and submitted to the Court.

REVIEW AND CONSIDERATION OF PROPOSED POLICIES
RE REQUESTS FOR RECONSIDERATION BASED ON INCIDENTS
OCCURRING DURING ADMINISTRATION OF THE CALIFORNIA BAR EXAMINATION
OR THE FIRST-YEAR LAW STUDENTS' EXAMINATION, INCLUDING
REQUIREMENT AND DEADLINES

It was moved, seconded and duly carried that the Committee of Bar Examiners (Committee) request staff to draft proposed policies and procedures, including requirements and deadlines, for requesting reconsideration of examination results based on incidents occurring during the administration of the California Bar Examination or the First-Year Law Students' Examination, and to draft a policy imposing a deadline by which to request reconsideration of examination results based on an arithmetical error or a clerical error in the grading of the examination, and to report back with the proposed policies and procedures for the March 2019 Committee meeting.

PROPOSED 2018 – 2019 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2018 – 2019 goals for the Subcommittee on Examinations be approved.

OPERATIONS AND MANAGEMENT

PROPOSED 2018 – 2019 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2018 – 2019 goals the Subcommittee on Operations and Management be approved.

EDUCATIONAL STANDARDS

NOTICE OF CHANGES IN LAW SCHOOL ADMINISTRATORS

It was by common consent agreed that the notice from Peoples College of Law of the appointment of Héctor Candelario Peña Ramírez as registrar be received and filed.

IRVINE UNIVERSITY COLLEGE OF LAW PERIODIC INSPECTION REPORT

It was moved, seconded and duly carried that the Periodic Inspection Report of Irvine University College of Law (IUCOL) conducted in April 2018 by Heather Georgakis be received and filed; that the response submitted by Dean George Leal, dated October 9, 2018 and submitted on behalf of the law school accepting all mandatory and suggested actions, be received and filed; that the mandatory and suggested compliance recommendations made in the Report be adopted; that IUCOL provide the Committee a progress report as to the mandatory and suggested actions in the report within 120 days from the date of its confirmation letter; that the registration of IUCOL as an unaccredited law school be continued; and that the school's next periodic inspection be scheduled for Spring of 2023, unless an earlier visitation is deemed necessary by the Committee.

**PACIFIC COAST UNIVERSITY RESPONSE TO
NOTICE OF NONCOMPLIANCE WITH GUIDELINE 12.2**

It was moved, seconded and duly carried that the Response of Pacific Coast University School of Law Response to the Notice of Noncompliance with Guideline 12.2 be received and filed; and that an inspection be scheduled within sixty days, which may be conducted remotely, to determine whether or not the school is in compliance with Rule 4.160 (N) and Guidelines 12.2, and, if not, whether probation or termination of registration is appropriate.

**SOUTHERN CALIFORNIA INSTITUTE OF LAW NOTICE OF NONCOMPLIANCE
WITH GUIDELINE 12.2 AND NOTICE OF OBJECTION OF FEES**

It was moved, seconded and duly carried that the response of Southern California Institute of Law (SCIL) Response to the Notice of Noncompliance with Guideline 12.2 be received and filed; that an inspection be scheduled within sixty days, which may be conducted remotely, to determine whether or not the school is in compliance with Rule 4.160 (N) and Guidelines 12.2, and, if not, whether probation or termination of registration is appropriate; that SCIL's request for a waiver of fees related to the Notice of Compliance be denied; and that the school be advised to remit the appropriate deposit immediately and agree to pay fees related to the Notice of Noncompliance that are billed in accordance with the Rules and Guidelines for Accredited Law Schools.

**JOHN F KENNEDY UNIVERSITY COLLEGE OF LAW CERTIFICATION
OF COMPLIANCE FOR SAN JOSE BRANCH CAMPUS**

It was moved, seconded and duly carried that the Certification of Substantial Compliance for the John F Kennedy University College of Law San Jose Branch campus be received and filed; and that it be noted that the school has now fulfilled all administrative obligations to the Committee required before opening the branch campus.

PROPOSED 2018 – 2019 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2018 – 2019 goals for the Subcommittee on Educational Standards be approved.

MORAL CHARACTER

PROPOSED 2018 – 2019 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2018 – 2019 goals for the Subcommittee on Moral Character be approved.

ADJOURNMENT

Having concluded all the business scheduled for consideration during the open and closed sessions of the meeting, the meeting was adjourned at 10:25 a.m., Saturday, December 8, 2018.